



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

June 10, 2013

Calvary Christian Center
2620 Colusa Hwy
Yuba City, CA. 95993

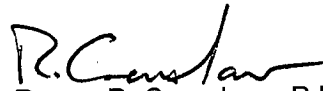
Attention: Cliff Smart, Business Administrator

**Subject: COMPLIANCE ORDER NO. 21-13R-001
NITRATE MCL VIOLATION FOR SECOND QUARTER 2013**

Enclosed is a Compliance Order issued to Calvary Christian Center (Water System). The Compliance Order is being issued because the Water System is out of compliance with the nitrate Maximum Contaminant Level (MCL) as specified in Section 64432(i), Title 22, of the California Code of Regulations during the second quarter of 2013.

Section 116577 of the California Safe Drinking Water Act provides for our Department to be reimbursed by the public water system for costs associated with preparing and issuing an enforcement action to that system. In accordance with Section 116577, the Water System will be billed for the preparation and issuance of this letter and compliance order. Approximately one hour was spent preparing this letter and compliance order, and currently our costs are approximately \$126 per hour.

If you have any questions, please call me at (530) 224-4861, or Paul Rowe at (530) 224-4866.


Reese B. Crenshaw, P.E.
Valley District Engineer
Drinking Water Field
Operations Branch

Enclosures

cc: Richard Hinrichs, P.E.; Northern California Regional Chief
Kevin Timms, Operator
Sutter County Department of Environmental Health

**STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**

IN RE: CALVARY CHRISTIAN CENTER
Water System No. 5100176

TO: Cliff Smart, Business Administrator
Calvary Christian Center
2620 Colusa Hwy
Yuba City, CA. 95993

ISSUED: June 10, 2013
VIA CERTIFIED MAIL

**COMPLIANCE ORDER FOR
NITRATE MAXIMUM CONTAMINANT LEVEL VIOLATION**

Section 116655, Chapter 4, Part 12, Division 104 of the California Health and Safety Code (CHSC), authorizes the California Department of Public Health (hereinafter Department) to issue a compliance order for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued or adopted pursuant to Chapter 4. The Department regulates public water supply Water Systems for compliance with all California regulations related to drinking water.



1
2 **FINDINGS AND BACKGROUND**

3 Calvary Christian Center (hereinafter Water System) is a nontransient-
4 noncommunity water system serving an estimated population of 245 students,
5 faculty, and staff through one connection.
6

7
8 The source of supply for the Water System is a groundwater well designated
9 as Well 001 (Source Number 5100176-001).
10

11 Section 64431, Title 22 of the California Code of Regulations requires that
12 nontransient-noncommunity water systems deliver water to all customers that
13 complies with the nitrate maximum contaminant level (MCL) of 45 milligrams
14 per liter (mg/L).
15

16
17 In 2005, the Water System was issued a compliance order for routinely
18 violating the nitrate MCL since 1999. Consequently, In January 2006, the
19 Water System was issued a permit amendment to provide bottled water for its
20 consumers in lieu of public notification. In August of 2012, the bottled water
21 permit amendment was cancelled as a result of sixteen (16) quarterly
22 samples between October 2008, and July 2012, indicating nitrate levels below
23 the nitrate MCL. On April 17, 2013, a quarterly nitrate sample taken from well
24 001 indicated an equivalent of 48.2 mg/L (Nitrate as NO₃). This MCL
25 exceedance triggered a confirmation sample to be taken within 24 hours. The
26 second sample was taken on April 18, 2013, and resulted in an equivalent of
27



1 45.2 mg/L (Nitrate as NO₃). The average of these two samples resulted in an
2 MCL exceedance of 46.7 mg/L (Nitrate as NO₃).
3
4

5 CONCLUSIONS OF LAW

6 Based on the above Findings, the California Department of Public Health
7 (Department) has determined that the Water System has violated provisions
8 contained in the CHSC and Title 22, California Code of Regulations (CCR).
9 These violations include, but are not limited to, the following:

- 10
11 1. CHSC, Section 116555 (a)(1): Specifically, the Water System has
12 failed to provide water that complies with primary and secondary
13 drinking water standards.
14
- 15 2. CHSC, Section 116555 (a)(3): Specifically, the Water System has
16 failed to ensure that the water system is provided with a reliable and
17 adequate supply of pure, wholesome, healthful and potable water.
18
- 19 3. CCR, Title 22 Section 64431: Specifically, the Water System has failed
20 to comply with the primary maximum contaminant level for nitrate of
21 45.0 mg/L (as NO₃).
22

23 ORDER

24 To ensure that the water supplied by the Water System is at all times safe,
25 wholesome, healthful, and potable, and pursuant to Section 116555 of the
26 CHSC, the Water System is ordered to take the following actions:
27



- 1 1. Cease and Desist from failing to comply with CHSC Sections
2 116555(a)(1) and (a)(3) and CCR Section 64431 by ensuring that the
3 Water System is provided with a reliable and adequate supply of pure,
4 wholesome, healthful, and potable water, which is in compliance with
5 all primary drinking water standards.
6
- 7 2. Submit a State Revolving Fund pre-application no later than **July 8,**
8 **2013**, in order to fund a Planning Study to identify the most cost
9 effective solution. The results of the Planning Study shall be submitted
10 to the Department for review and approval by no later than **October 31,**
11 **2014.**
12
- 13 3. Provide quarterly public notification of the Water System's failure to
14 comply with the nitrate MCL. Public notification shall continue as long
15 as the nitrate MCL is violated or until the Water System provides water
16 that meets all applicable drinking water standards. The notification
17 format is provided in Attachment B. Proof of public notification shall be
18 provided to the Department following each quarterly notification by the
19 10th day of the month following notification, using the form provided as
20 Attachment A.
21
- 22 4. in lieu of Directive #3 above, the Water System shall provide
23 consumers with either approved bottled water, or water from accepted
24 point-of-use devices, or both. The water supplier shall submit monthly
25 summaries of bottled water consumption, and point-of-use device
26 testing and monitoring, by the tenth day of the following month.
27



- 1
2
3 5. Continue to collect quarterly samples from Well 001 for nitrate analysis.
4 The analytical results shall be reported to the Department using the
5 source code 5100176-001 no later than the 10th day following the
6 month in which the samples were analyzed.
- 7
8 6. Submit to the Department no later than **September 11, 2013**, for
9 review and approval, a plan and compliance schedule for
10 improvements to the Water System to correct the nitrate water quality
11 problem and eliminate the delivery of water to consumers that does not
12 meet the primary drinking water standards.
- 13
14 7. Complete all the improvements in the proposed project submitted
15 pursuant to #6 above in accordance with the compliance schedule to
16 be reviewed and approved by the Department no later than **February**
17 **7, 2014.**
- 18
19 8. Submit a written response to the Department by **July 12, 2013**,
20 indicating its willingness to comply with the directives of this Order.

21
22 The Department reserves the right to make such modifications to this
23 Order as it may deem necessary to protect public health and safety. Such
24 modifications may be issued as amendments to this Order and shall be
25 effective upon issuance. All submittals required by this Order shall be
26 addressed to:
27



1
2 Reese Crenshaw, Valley District Engineer
3 California Department of Public Health
4 Drinking Water Field Operations Branch
5 364 Knollcrest Drive
6 Redding, CA. 96002

7
8 If the Water System is unable to perform the tasks specified in this Order for
9 any reason, whether within or beyond its control, and if the Water System
10 notifies the Department in writing no less than thirty days in advance of the
11 due date, the Department may extend the time for performance if the Water
12 System demonstrates that it has used its best efforts to comply with the
13 schedule and other requirements of this Order.

14
15 If the Water System fails to perform any of the tasks specified in this Order by
16 the time described herein or by the time subsequently extended pursuant to
17 Item 6 above, the Water System shall be deemed to have not complied with
18 the obligations of this Order and may be subject to additional judicial action,
19 including civil penalties specified in CHSC Code, Sections 116725 and
20 116730.

21
22 The State of California shall not be liable for any injuries or damages to
23 persons or property resulting from acts of omissions by the Water System, its
24 employees, agents, or contractors in carrying out activities pursuant to this
25 Order, nor shall the State of California be held as a party to any contract
26 entered into by the Water System or its agents in carrying out activities
27



pursuant to this Order. By issuance of this Order, the Department does not waive any future enforcement actions.

PARTIES BOUND

This Order shall apply to and be binding upon Calvary Christian Center, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

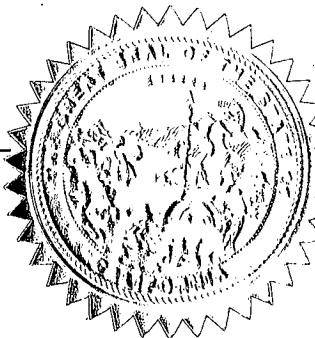
The requirements of this Order are severable, and Calvary Christian Center shall comply with each and every provision thereof notwithstanding the effectiveness of any provisions.

CIVIL PENALTIES

Failure to comply with any provision or compliance schedule of this Order may result in the Department imposing additional enforcement actions (Citations) and administrative penalties of up to \$200 per day on the Water Water System.

6/10/2013

Date



Richard Hinrichs

Richard Hinrichs, P.E.
Northern California Regional Chief
DRINKING WATER FIELD
OPERATIONS BRANCH

cc: Richard Hinrichs, P.E.; Northern California Regional Chief
Kevin Timms, Operator
Sutter County Department of Environmental Health



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Attachments:

Attachment A: Proof of Notification Form
Attachment B: Public Notification Notice

Certification No. 7009 1680 0001 3114 5066



ATTACHMENT A
PROOF OF NOTIFICATION

Name of Water System: **Calvary Christian Center**

Water System Number: **5100176**

Certification

As required by Section 64463.4 of the California Code of Regulations, I notified the users of the water supplied Calvary Christian Center of the nitrate violation of Section 64431 of the California Code of Regulations for the compliance period of April 1, 2013 – through June 31, 2013. I complied with the directives of this order as indicated below:

Required Action	Date Completed
Public Notification – Mail or Direct Delivery	<input type="text"/>
Public Notification – Posting in Public Places Served by the Water System	<input type="text"/>
Plan and time schedule for arsenic treatment	<input type="text"/>

Signature of Water System
Representative

Date

Attach a copy of the direct delivery/mail notice and a copy of the public posting.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT

ATTACHMENT B

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

DRINKING WATER WARNING: CALVARY CHRISTIAN CENTER HAS HIGH LEVELS OF NITRATE

Two water sample results received in April 2013 showed an average nitrate level of 46.7 milligrams per liter (mg/L). This is above the nitrate standard or maximum contaminant level (MCL), of 45.0 mg/L (45 parts per million - Nitrate as NO_3). Nitrate consumed in drinking water can cause serious illness in infants under six months, adverse health effects in pregnant women, and may interfere with iodide uptake in the body, leading to abnormal hormone levels in the body.

What should I do?

- **DO NOT DRINK THE WATER OR USE IT TO MAKE INFANT FORMULA.** Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER** High
nitrate levels may also affect the oxygen-carrying ability of pregnant women.
- Water, juice, and formula should not be prepared with tap water. Bottled water or other water low in perchlorate should be used until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the perchlorate level. Excessive boiling can make the perchlorate more concentrated because perchlorate remains behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate is an inorganic chemical that can be introduced to drinking water via runoff from fertilizer use, leaching from septic tanks, sewage, and erosion of natural deposits. Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

Currently bottled water is provided for drinking and cooking.

For more information, please contact Cliff Smart at 530-673-6035 at Calvary Christian Center

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Calvary Christian Center in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

Dated : _____

Cliff Smart, Business Admin